

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

ITL.0241D1US (P7376D)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

Application Number

10/764,617

Filed

January 26, 2004

on

October 12, 2009

Signature

Typed or printed

name

Cynthia L. Hayden

First Named Inventor

Edward R. Rhoads

Art Unit

2185

Examiner

Zhuo H. Li

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

/Timothy N. Trop/

Signature

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

Timothy N. Trop

Typed or printed name

☒

attorney or agent of record.

Registration number

28,994

(713) 468-8880

Telephone number

☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34

October 12, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐

*Total of

_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	Art Unit:	2185
Edward R. Rhoads et al.	§		
	§	Examiner:	Zhuo H. Li
Serial No.: 10/764,617	§		
	§	Conf. No.:	8924
Filed: January 26, 2004	§		
	§	Docket:	ITL.0241D1US
For: Organizing Information Stored in	§		P7376D
Non-Volatile Re-Programmable	§		
Semiconductor Memories	§	Assignee:	Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

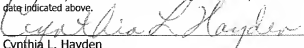
Reconsideration is respectfully requested on the following bases:

1. The argument that "Applicant failed to provide a satisfactory showing that the relevant portions of the patent originated with or were obtained from the instant application and that that subject matter is now claimed."

This observation should be reconsidered since the Declaration is explicit that the material was obtained in the present application by the undersigned attorney who copied it from the previous application. Thus, there is no question but that the observation is incorrect.

2. The Applicant did not provide separate arguments with respect to art rejection of claims 1-15 and 26-30

No separate arguments are needed because the reliance on Tallam is misplaced. Since Tallam is not prior art, no further arguments are needed.

Date of Deposit: October 12, 2009
I hereby certify that this document is being electronically transmitted on the date indicated above.

Cynthia L. Hayden

Therefore, reconsideration is requested.

Respectfully submitted,

Date: October 12, 2009

/Timothy N. Trop/
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